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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/747,965

12/27/2000

Mari Yajima

1538.1007 (JDH)

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21171

7590

03/23/2007

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EXAMINER

CHAMPAGNE, DONALD

ART UNIT

PAPER NUMBER

3622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

09/747,965

**Applicant(s)**

YAJIMA ET AL.

**Examiner**

Donald L. Champagne

**Art Unit**

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,11,15,20,22,27 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,11,15,20,22,27 and 34-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 11, 15, 20, 22, 27 and 34-37 are rejected under 35 U.S.C. 103(a) as being obvious over Namikata et al. (US005949414A).
3. Namikata et al. teaches (independent claims 1, 15 and 22) a computer system, computer readable storage, and an information providing method, the information providing method comprising:

transmitting a GUI display of a *white board window* (Fig. 3A, and col. 4 lines 48-50) via a computer network (col. 3 line 59 to col. 4 line 3 and col. 4 lines 29-31) providing first display information to a terminal of one registered member (*user 1* in Fig. 3A, where being a member reads on registration, col. 5 line 33), said first display information comprising:

a first image to identify said one member (the *member icon 3-8* for *user 1* in Fig. 3A, col. 5 lines 29-32) and

a plurality of second images to identify other registered members (the *member icon 3-8* for each of the other users in Fig. 3A), wherein each of the other members belongs to a same genre as said one member (the "genre" being members of the meeting);

receiving, from said terminal of said one member, information indicating selecting of an image of a selected member from said first display information (*the user selects a member icon*, col. 5 lines 36-40);

transmitting a member web page of said selected member to said terminal of said one member;

(when said selected member is one of the other members) forming second display information (the *side conversation member panel 3-7* in Fig. 3A) comprising information

about said one of the other members (the name or image of each of said other member) and prompting the one member to input a comment (the *side conversation*, col. 5 lines 40-42) to said one of the other members.

4. Namikata et al. does not teach that the GUI display of a white board window transmitted via a computer network is a web page. Because Namikata et al. teaches that any type of network and network protocol meeting certain basis requirements may be used (col. 4 lines 39-45), and because the World Wide Web transmitting Web pages is a widely available network meeting these basic requirements, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to add to the teachings of Namikata et al. that the network be the WWW so as to transmit the *white board window* as a web page.
5. Namikata et al. also teaches at the citations given above claims 34-37, where for claim 37 any other member reads on "the expert" (see para. 6 immediately below), and "storing said comment information ..." is taught at col. 4 lines 56-59.
6. Note on interpretation of claim terms Unless a term is given a "clear definition" in the specification (MPEP § 2111.01), the examiner is obligated to give claims their broadest reasonable interpretation, in light of the specification, and consistent with the interpretation that those skilled in the art would reach (MPEP § 2111). An inventor may define specific terms used to describe invention, but must do so "with reasonable clarity, deliberateness, and precision" (MPEP § 2111.01.III). A "clear definition" must establish the metes and bounds of the terms. A clear definition must unambiguously establish what is and what is not included. A clear definition is indicated by a section labeled definitions, or by the use of phrases such as "by xxx we mean"; "xxx is defined as"; or "xxx includes, ... but does not include ...". An example does not constitute a "clear definition" beyond the scope of the example.
7. The instant application contains no such clear definition for the phrases "genre" or "expert". In the instant case, the examiner is required to give these terms their broadest reasonable interpretation. "Genre" is most often used in English with a specialized artistic meaning, but in the present context would be understood by those of skill in the social networking art as a kind or sort of membership group.<sup>1</sup> The reference teaches that since all the users belong to the same meeting. "Expert" is interpreted as anyone from whom a knowledgeable opinion is

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<sup>1</sup> Respectively see definitions "1" and "2" of "genre" in Merriam-Webster's Collegiate® Dictionary.

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sought. The invitation to join a side conversation (col. 5 lines 36-41) reads on “transmitting a request for a comment from the one member [e.g., *user 1*] to the expert [*user 3* in Fig. 3A] ...”.

8. Namikata et al. also teaches claims 11, 20 and 27 when “said first image” (the icon for *user 1*) is relocated (shuffled) in either the *conference member panel* or the *side member panel* of Fig. 3A. That could happen, for example, if *user 1* left and returned to the meeting.

### ***Possibility of Allowable Subject Matter***

9. Namikata et al. does not teach or suggest that the images are arranged in a tree format, which is supported by Fig. 1 of the application. Hence the instant rejection could be overcome by appropriate addition of this limitation, e.g., by amending line 8 of claim 1 to read,

“a plurality of second images in a tree-like arrangement to identify other registered members, wherein”,

and similarly amending the other independent claims.

10. Of the prior art made of record, both Herz et al. (US005754938A) and Okura (US005829003A) teach images in a tree-like arrangement, but the prior art made of record does not teach or suggest adding either of these references to Namikata et al.
11. Applicant is cautioned that an allowance could not be considered until this or any other amendment was searched. Allowance is also dependent on successful vetting of the proposed reasons for allowance in a conference.

### ***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
13. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will

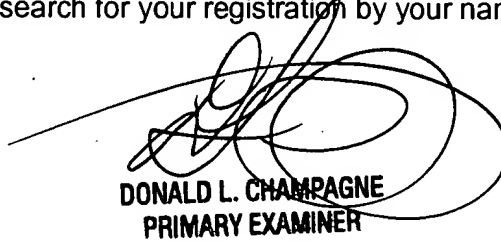
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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached from 9:30 AM to 8 PM ET, Monday to Thursday. The examiner can also be contacted by e-mail at [donald.champagne@uspto.gov](mailto:donald.champagne@uspto.gov), and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717. The fax phone number for all *formal* matters is 571-273-8300.
15. The examiner's supervisor, Eric Stamber, can be reached on 571-272-6724.
16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
17. **AFTER FINAL PRACTICE** – Consistent with MPEP § 706.07(f) and 713.09, prosecution generally ends with the final rejection. Examiner will grant an interview after final only when applicant presents compelling evidence that “disposal or clarification for appeal may be accomplished with only nominal further consideration” (MPEP § 713.09). The burden is on applicant to demonstrate this requirement, preferably in no more than 25 words. Amendments are entered after final only when the amendments will clearly simplify issues, or put the case into condition for allowance, clearly and without additional search or more than nominal consideration.
18. Applicant may have after final arguments considered and amendments entered by filing an RCE.

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19. **ABANDONMENT** – If examiner cannot by telephone verify applicant's intent to continue prosecution, the application is subject to abandonment six months after mailing of the last Office action. The agent, attorney or applicant point of contact is responsible for assuring that the Office has their telephone number. Agents and attorneys may verify their registration information including telephone number at the Office's web site, [www.uspto.gov](http://www.uspto.gov). At the top of the home page, click on Site Index. Then click on Agent & Attorney Roster in the alphabetic list, and search for your registration by your name or number.



DONALD L. CHAMPAGNE  
PRIMARY EXAMINER

Donald L. Champagne  
Primary Examiner  
Art Unit 3622

21 March 2007